

## REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. No claims have been cancelled in this response. Claims 20, 24, 29, 34, 38, 43-44, 60 and 76-77 have been amended. No new claims have been added. Therefore, claims 20-41 and 43-77 are presented for examination.

### **Claim Amendments**

Applicant has amended the claims to more particularly point out what Applicant regards as their invention. No new matter has been added as a result of these amendments.

### **Rejections Under 35 U.S.C. §103(a)**

#### *Swenton-Wall in view of Ouellet*

Claims 20-41 and 43-77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Swenton-Wall et al., U.S. Patent No. 6,590,586 ("Swenton") in view of Ouellet et al., U.S. Patent No. 6,336,052 ("Ouellet"). Ouellet is a 35 U.S.C. §102(e) reference since its issue date is after Applicant's filing date. Accordingly, Applicant hereby reserves the right to swear behind Ouellet in the subsequent prosecution of the present application. Applicant respectfully submits, however, that the present claims are patentable over the combination of Swenton and Ouellet.

Swenton discloses that a user may organize simulated slides for a presentation by placing the slides in a simulated slide carousel. The carousel reorders slides according to a list that is manipulated by a user to create a defined sequence.

Oeullet discloses a circular interface to manipulate and position an image. The interface has three annular rings with a common center. The outermost annular ring is used to rotate an image. An operator clicks a mouse on a ring marker and drags the marker around the ring, which results in a corresponding rotational movement of the image. The inner two rings are segmented into buttons which allow an operator to move and manipulate the spatial position of an image. The buttons provide translational movement (e.g. up/down, left/right) of the image when depressed. The interface also includes center buttons and that rotate the image when depressed.

Applicant respectfully submits that there is no suggestion or motivation for the Examiner's combination of Swenton and Ouellet. The Examiner asserts that it would have been obvious to combine Swenton's slide carousel system with Ouellet's image manipulation interface. However, the Examiner's combination would change the principle of operation of each reference, and therefore the teachings of the references are not sufficient to render the claims *prima facie* obvious. (MPEP 2143.01). Swenton's simulated slide carousel displays images according to a user created list, i.e. the order of the list controls the display of images. Adding a dial to control the display of images would require a substantial redesign of Swenton's system and change the principal of operation of Swenton's system. Further, Ouellet's manipulation interface includes a ring for rotating an image. A modification of the ring's function as such would change the principal of its operation as disclosed by Ouellet, in addition to rendering the ring inoperable for its intended purpose of rotating an image. Therefore there is no suggestion or motivation in the references or the art as a whole, for the Examiner's combination.

Applicant further submits that the Examiner's combination does not teach or suggest every limitation of the claims. Independent claim 20, as amended, includes the limitation of a dial capable of being visually dialed through rotations to sequentially display a set of files. The Examiner appears to have equated the carousel in Swenton to Applicant's dial, but admits that Swenton does not teach or suggest a dial capable of being visually dialed through rotations. However, Applicant respectfully submits that the simulated slide carousel icon disclosed by Swenton is not equivalent to a dial as the word is commonly understood. Applicant further submits that Ouellet also does not teach or suggest the claimed limitation of a dial capable of being visually dialed through rotations to sequentially display a set of files. Ouellet's interface provides functionality for rotating an image. The only portion of Ouellet's interface that is capable of rotating is the outermost annular ring 24. However, Ouellet discloses that rotation of ring 24 results in rotation of the image 45; it does not sequentially display files. Therefore, neither Swenton, Ouellet, nor the combination, teaches or suggests a rotatable dial capable of being visually dialed through rotations to sequentially display a set of files.

Accordingly, independent claim 20, and claims 21-23 that depend from it, are not rendered obvious by the combination of Swenton and Ouellet.

Independent claims 24, 29, 34, 38, 43-44, 60 and 76-77, as amended, include limitations similar to those claimed in claim 20. Therefore, for reasons analogous to those discussed above, independent claims 24, 29, 34, 38, 43-44, 60 and 76-77 and claims 25-29, 30-33, 35-38, 39-41, 45-59, and 61-75 that depend from them, are not rendered obvious by the combination of Swenton and Ouellet. Accordingly, withdrawal of the rejection is respectfully requested.

### Conclusion

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.


If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact Scott Heilesen at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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